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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,888	01/16/2004	Alexander I. Shakhnovich	02090CIP	7005

7590 03/13/2006
Cabot Corporation
Law Department
157 Concord Road
Billerica, MA 01821

EXAMINER

FAISON, VERONICA F

ART UNIT	PAPER NUMBER
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1755

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/758,888	Applicant(s) SHAKHNOVICH, ALEXANDER I.	
	Examiner Veronica F. Faison	Art Unit 1755	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,10,12,14 and 16-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-8,10,12,14,16-22 and 25-37 is/are allowed.
- 6) ☒ Claim(s) 23 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Allowable Subject Matter

The indicated allowability of claims 23 and 24 are withdrawn based on the cited reference(s) follow.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Platman (US Patent 5,246,494).

Platman et al teach a mixed couple azo pigment prepared from 30 to 70 percent of two or more diazonium components, at least one derived from a monoaryl amine and an organic coupling component, said pigment containing one or more COOH or SO₃H groups or ester (abstract and col. 3 line 44-col. 4 line 29). The mixed coupled azo pigment are prepared by initially diazotizing a mixture of two or more aromatic amine compounds to form a mixture of diazonium salts and thereafter coupling the mixture of diazonium salts with a coupling component (col. 4 lines 40-45). The reference further teaches that the aromatic amines may also contain one or two acid groups which may be -COOH, -SO₃H, or the esters or amides or alkali or alkaline earth metal salts thereof (col. 5 lines 28-33). The mixtures comprising at least two diazonium components used in preparing the pigments may be prepared by diazotizing a mixture of aromatic amines,

Art Unit: 1755

or the mixture can be prepared separately diazotizing individual amines and combining the diazotized amines. The diazotization of the aromatic amines may be carried out in the manner known through the use of alkali metal nitrites or lower alkyl nitrites together with an adequately strong acid (col. 6 lines 34-50). The coupling component may be any compound capable of coupling the diazonium components such as pyrazolone (col. 6 lines 59-68). Platman et al fails to specifically exemplify the use dispersant as claimed by applicant. However, it would have been obvious to one of ordinary skill in the art that when the same components set forth in claim 23 are present that the dispersant would be obviously formed, absent tangible evidence to the contrary. And the pigment would be obvious to use in an ink jet ink composition as long as the pigment and size of the pigment are compatible with the composition and apparatus.

Allowable Subject Matter

Claims 1, 3-8,10,12, 14, 16-22 and 25-37 are allowed.

The following is an examiner's statement of reasons for allowance:

The references alone or in combination fail to teach a method of preparing an aqueous colored pigment dispersion comprising a colored pigment, and an azo coupler to form a pretreated colored pigment and combining in any order the pretreated colored pigment, an aromatic amine, a diazotizing agent and an aqueous medium, wherein the aromatic amine comprises at least one ionic group, ionizable group or mixture thereof. Therefore the references are not seen to teach or fairly suggest the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 1755

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

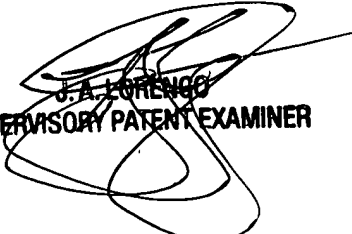
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Veronica F. Faison whose telephone number is 571-272-1366. The examiner can normally be reached on Monday-Thursday and alternate Fridays 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on 571-272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VFF
3-6-06


J.A. LORENCO
SUPERVISORY PATENT EXAMINER